

# SUBSTITUTE DECLARATION FOR U.S. PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

## METHOD AND APPARATUS FOR APPLYING LIQUID COMPOSITIONS IN RAIL SYSTEMS

the specification of which is attached hereto unless the following is checked

☒ was filed on April 9, 2007 as United States Application Number 10/581,268 and was filed on June 27, 2005 as PCT International Application Number PCT/CA2005/000990 and was amended on June 1, 2006 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a) – (d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application for which priority is claimed.

(List prior foreign applications. See note A)

(Number)	(Country)	(Day/Month/Year Filed)
(Number)	(Country)	(Day/Month/Year Filed)
(Number)	(Country)	(Day/Month/Year Filed)
(Number)	(Country)	(Day/Month/Year Filed)

### Priority Claimed

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No

(See note B) ☐ See attached list for additional prior foreign applications

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(List prior U.S. Applications)

<u>10/875,502</u> (Application Serial No.)	<u>25/June/2004</u> (Filing Date)
(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)

### Status

☐ Patented ☒ Pending ☐ Abandoned

☐ Patented ☐ Pending ☐ Abandoned

☐ Patented ☐ Pending ☐ Abandoned

☐ Patented ☐ Pending ☐ Abandoned

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business at the Patent and Trademark Office connected therewith:

**Customer Number: 38834**

Please direct all communications to the following address:

Westerman, Hattori, Daniels & Adrian, LLP  
1250 Connecticut Avenue, N.W., Suite 700, Washington, D.C. 20036

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18 of the United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(See note C)

Full name of sole or first inventor (given name, family name)

**EADIE, Don T.**

Inventor's signature

Date 19 Nov 2007

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Full name of second inventor (given name, family name)

**COTTER, John**

Inventor's signature

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**ELVIDGE, Dave**

Inventor's signature

Date Nov 8/07

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Full name of fourth inventor (given name, family name)

Date

Inventor's signature

Citizenship

Residence

Post Office Address

Full name of fifth inventor (given name, family name)

Date

Inventor's signature

Citizenship

Residence

Post Office Address

Full name of sixth inventor (given name, family name)

Date

Inventor's signature

Citizenship

Residence

Post Office Address